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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,841	02/04/2002	Michael J. Wookey	P7233	5151
33438	7590	02/23/2006	EXAMINER	
HAMILTON & TERRILE, LLP			DELGADO, MICHAEL A	
P.O. BOX 203518			ART UNIT	
AUSTIN, TX 78720			PAPER NUMBER	

2144

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/066,841	WOOKEY ET AL.	
	Examiner	Art Unit	
	Michael S. A. Delgado	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION
Reopening Prosecution

In view of the Pre-Appeal Brief conference request filed on 11/14/2005, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication No. 2002/0087657 by Hunt.

In claim 1, Hunt teaches about a method of communicating in a remote services system comprising (Fig 4):

assigning a component “DCOM” within the remote services system with a unique remote services identifier “SCONE” (Paragraph 18, lines 1-13) (Paragraph 42, lines 1-11);

communicating a forward channel communication using a forward channel communication path (Paragraph 40, lines 1-6); RPC request.

communicating a back-channel communication using a back-channel communication path (Paragraph 43, lines 1-14); and RPC response from server.

determining a destination of the back-channel communication based upon the unique remote services identifier of the component (Paragraph 18, lines 1-13) (Paragraph 42, lines 1-11) (Paragraph 64, lines 1-5) (Paragraph 65, lines 1-14).

In claim 2, Hunt teaches about the method of claim 1 wherein the communicating is via a message “RPC” (Paragraph 18, lines 1-13).

In claim 3, Hunt teaches about a method of claim 2 wherein the message includes a header section and a content section (Paragraph 37, lines 1-11). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in “Internetworking with TCP/IP client-server programming and applications” Vol. 3, page 282 by Comer et al and by “TCP/IP Illustrated Vol. 1 the Protocols”, Pages 463-464 by W. Richard Stevens.

In claim 4, Hunt teaches about a method of claim 3 wherein the header section includes information regarding at least one of a source of the message, a destination of the message, routing statistics of the message and a message type of the message transaction” (Paragraph 18, lines 1-13) (Paragraph 37, lines 1-11). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a

header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in “Internetworking with TCP/IP client-server programming and applications” Vol. 3, page 282 by Comer et al and by “TCP/IP Illustrated Vol. 1 the Protocols”, Pages 463-464 by W. Richard Stevens.

In claim 5, Hunt teaches about a method of claim 3 wherein the content section includes actual information being communicated (Paragraph 37, lines 1-11). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in “Internetworking with TCP/IP client-server programming and applications” Vol. 3, page 282 by Comer et al and by “TCP/IP Illustrated Vol. 1 the Protocols”, Pages 463-464 by W. Richard Stevens.

In claim 6, Hunt teaches about a method of claim 5 wherein the content section of the message includes at least one of an alarm, an event, a message response, a bulk data request, a bulk data response and data (Paragraph 70, lines 1-8).

In claim 7, Hunt teaches about a method of communicating in a remote services system comprising (Fig 4):

communicating a forward channel communication using a forward channel communication path (Paragraph 40, lines 1-6); RPC request.) and

communicating a back-channel communication using a back-channel communication path, the back-channel communication path being established only after a forward channel communication path is established (Paragraph 43, lines 1-14); and RPC response from server.

In claim 8, Hunt teaches about a method of claim 7 wherein the communicating is via a message "RPC" (Paragraph 18, lines 1-13).

In claim 9, Hunt teaches about a method of claim 8 wherein the message includes a header section and a content section (Paragraph 37, lines 1-11). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in "Internetworking with TCP/IP client-server programming and applications" Vol. 3, page 282 by Comer et al and by "TCP/IP Illustrated Vol. 1 the Protocols", Pages 463-464 by W. Richard Stevens.

In claim 10, Hunt teaches about a method of claim 9 wherein the header section includes information regarding at least one of a source of the message, a destination of the message, routing statistics of the message and a message type of the message (Paragraph 37, lines 1-11). RPC is an application layer protocol that requires a transportation layer protocol to go from

source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself.

In claim 11, Hunt teaches about a method of claim 9 wherein the content section includes actual information being communicated (Paragraph 37, lines 1-11). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in “Internetworking with TCP/IP client-server programming and applications” Vol. 3, page 282 by Comer et al and by “TCP/IP Illustrated Vol. 1 the Protocols”, Pages 463-464 by W. Richard Stevens.

In claim 12, Hunt teaches about a method of claim 11 wherein the content section of the message includes at least one of an alarm, an event, a message response, a bulk data request, a bulk data response and data (Paragraph 70, lines 1-8).

In claim 13, Hunt teaches about a method of communicating in a remote services system comprising (Fig 4):

assigning a component within the remote services system with a unique remote services identifier “scone” (Paragraph 18, lines 1-13) (Paragraph 42, lines 1-11);

communicating a forward channel communication using a forward channel communication path (Paragraph 40, lines 1-6); RPC request.

communicating a back-channel communication using a back-channel communication path, the back-channel communication path being established only after a forward channel communication path is established (Paragraph 43, lines 1-14); and RPC response from server. and,

determining a destination of the back-channel communication based upon the unique remote services identifier of the component (Paragraph 18, lines 1-13) (Paragraph 42, lines 1-11) (Paragraph 64, lines 1-5) (Paragraph 65, lines 1-14).

In claim 14, Hunt teaches about a method of claim 13 wherein the communicating is via a message "RPC" (Paragraph 18, lines 1-13).

In claim 15, Hunt teaches about a method of claim 14 wherein the message includes a header section and a content section (Paragraph 37, lines 1-11). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in "Internetworking with TCP/IP client-server programming and applications" Vol. 3, page 282 by Comer et al and by "TCP/IP Illustrated Vol. 1 the Protocols", Pages 463-464 by W. Richard Stevens.

In claim 16, Hunt teaches about a method of claim 15 wherein the header section includes information regarding at least one of a source of the message, a destination of the message, routing statistics of the message and a message type of the message (Paragraph 18, lines 1-14) (Paragraph 37, lines 1-11). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself.

In claim 17, Hunt teaches about a method of claim 15 wherein the content section includes actual information being communicated (Paragraph 37, lines 1-11). RPC is an application layer protocol that requires a transportation layer protocol to go from source to destination and visa versa. In data communication this can only occurs by using a transportation layer protocol that support a header that contain a source and a destination address that encapsulate a payload which carries the message itself. Evidence as to the inherence of what is being claimed being present in prior art, is supported in "Internetworking with TCP/IP client-server programming and applications" Vol. 3, page 282 by Comer et al and by "TCP/IP Illustrated Vol. 1 the Protocols", Pages 463-464 by W. Richard Stevens.

In claim 18, Hunt teaches about a method of claim 17 wherein the content section of the message includes at least one of an alarm, an event, a message response, a bulk data request, a bulk data response and data (Paragraph 70, lines 1-8).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2002/0042849 by Ho et al, teaches about a CICS BMS (Basic Message Service) meta model.

US 2002/0174340 by Dick et al, teaches about a system, method and computer program product for auditing XML messages in a network-based message stream.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923

. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

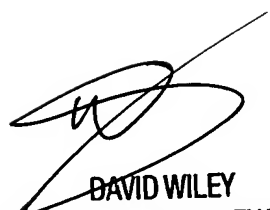
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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